

Application No.: 09/146,835
Amendment Dated: January 26, 2005
Reply to Final Office Action of: November 3, 2004

MAT-6280US

Remarks/Arguments:

In view of the amendments and following remarks, reconsideration is respectfully requested.

The amendments contained in this Amendment after Final are minor editorial amendments which would not require further search by the Examiner. Accordingly, it is submitted that entry and consideration of this Amendment after Final is clearly justified and proper.

The Applicants would like to thank Primary Examiner Mark Wallerson for conducting a personal interview with the Applicants on January 21, 2005, at the USPTO. During the personal interview, the Applicants set forth arguments distinguishing the present invention, as particularly claimed in each of independent claims 65, 70, and 74, over the Nihei (U.S. Patent No. 5,710,572) reference. As reflected on the Interview Summary (Form PTOL-413), the Examiner agrees that the Nihei reference does not disclose the features claimed in independent claims 65 and 70 and that the rejections relating to claims 65 and 70 and their respective dependent claims have been overcome. Regarding independent claim 74, the Examiner stated that he would further consider the arguments relating to this particular independent claim upon receiving this formal reply. Provided next is a Substance of the Interview including the arguments presented by the Applicants for distinguishing each of independent claims 65, 70, and 74 over the Nihei reference.

Initially, it is noted that the Examiner has rejected claims 65-85 under 35 U.S.C. § 102(e) as being anticipated by Nihei (U.S. Patent No. 5,710,572) for the reasons contained in paragraph 4 on pages 2-4 of the Office Action.

The Applicants respectfully traverse the Examiner's aforementioned rejection and submit that the present invention, at least as claimed in each of independent claims 65, 70, and 74, is clearly patentably distinguished over the Nihei reference for at least the following reasons which were discussed during the aforementioned personal interview conducted on January 21, 2005.

According to the present invention as recited in each of independent claims 65 and 70 of the present application, the digital camera comprises a key adapted to be manipulated by a user of the digital camera and operable to rotate an angle of the image displayed on a display unit in response to user manipulation.

It is submitted that the Nihei reference fails to disclose or suggest the aforementioned feature of the present invention as particularly recited in each of independent claims 65 and 70 of the application.

Particularly, the image display apparatus of the Nihei reference displays a rotated image on the basis of angle data representing the angle of inclination of the image sensing device prevailing at the time the image is sensed. See column 1, lines 46-51 and column 4, lines 19-21.

As reflected in the Interview Summary form, the Examiner agrees that the Nihei reference fails to disclose the aforementioned feature of the present invention which is particularly claimed in each of independent claims 65 and 70 of the present application. Additionally, it is noted that dependent claim 79 also recites the aforementioned feature which is not disclosed or suggested by the Nihei reference.

Next, according to the present invention recited in each of independent claims 65, 70 and 74 of the present application, the digital camera comprises a display unit.

It is submitted that the Nihei reference fails to disclose or suggest the aforementioned feature of the present application as particularly recited in independent claims 65, 70, and 74 of the present application.

Particularly, unlike the digital camera of the present invention which comprises the display unit, the Nihei reference discloses a display unit 13 as being part of an image display apparatus shown in Figure 1 which does not include the image sensing device discussed in the reference. See column 3, lines 38-47. Specifically, the description contained in the Nihei reference treats the image sensing device as being separate and distinct from the image display apparatus shown in Figure 1. This is particularly evident from at least column 1, lines 52-57 and column 2, lines 18-23 of the Nihei reference which discuss the image sensing device (an electronic still video camera or the like) and the image display apparatus of Figure 1. Lastly, the separate and distinct nature of the image sensing device and the image display apparatus of the Nihei reference is further evident from the fact that Figure 1, which is repeatedly mentioned as depicting an "image display apparatus" does not show the image sensing device. See Figure 1, column 3, lines 16-17 and 38-39.

Accordingly, it is submitted that the Nihei reference fails to disclose or suggest a digital camera comprising a display unit, as particularly recited in each of dependent claims 65, 70 and 74 of the present application.

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In view of the foregoing, it is submitted that the present invention as claimed in each of independent claims 65, 70, and 74, as well as claims 66-69, 71-73, and 75-85 dependent thereon, is clearly allowable and the Examiner is kindly requested to promptly pass this case to issuance.

In the event, however, that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is kindly requested to contact the undersigned to expedite allowance of this application.

Respectfully submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/fp

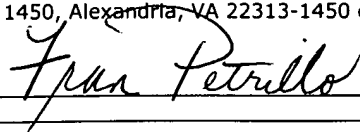
Dated: January 26, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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Fran Petruccio

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